

# House File 2455

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1 2  
1 3 AN ACT  
1 4 ESTABLISHING MARRIAGE AND DOMESTIC RELATIONS REQUIREMENTS  
1 5 AND PROVIDING AN EFFECTIVE DATE.  
1 6  
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 8  
1 9 Section 1. Section 331.605, subsection 6, Code 2003, is  
1 10 amended to read as follows:  
1 11 6. For filing an application for the license to marry,  
1 12 thirty-five dollars, which includes payment for one certified  
1 13 copy of the original certificate of marriage, to be issued  
1 14 following filing of the original certificate of marriage, four  
1 15 dollars of which shall be retained by the county pursuant to  
1 16 subsection 5. For issuing an application for an order of the  
1 17 district court authorizing the validation of a license to  
1 18 marry before the expiration of ~~three the number of~~ days  
1 19 specified in section 595.4, from the date of issuance of the  
1 20 license, five dollars. The district court shall authorize the  
1 21 early validation of a marriage license without the payment of  
1 22 any fees imposed in this subsection upon showing that the  
1 23 applicant is unable to pay the fees.  
1 24 Sec. 2. NEW SECTION. 595.3B APPLICATION == PREMARITAL  
1 25 EDUCATION.  
1 26 1. An application form for a marriage license shall have  
1 27 attached a certificate form to be used by the parties to  
1 28 document completion of premarital education by the parties.  
1 29 The certificate shall be completed by the parties and signed  
1 30 by the person who provided the premarital education. The  
1 31 certificate shall be filed with the verified application in  
1 32 accordance with section 595.4. The certificate form shall  
1 33 require provision of all of the following information:  
1 34 a. The name of the person providing the premarital  
1 35 education and the person's signature verifying completion of  
2 1 the premarital education by the parties.  
2 2 b. The number of hours of premarital education completed.  
2 3 2. Only premarital education provided by the following  
2 4 persons shall be accepted to document completion under this  
2 5 section:  
2 6 a. A person ordained or designated as a leader of a  
2 7 party's religious faith or the person's designee.  
2 8 b. A person licensed to practice psychology pursuant to  
2 9 chapter 154B.  
2 10 c. A person licensed to practice social work as a licensed  
2 11 master social worker or a licensed independent social worker  
2 12 pursuant to chapter 154C.  
2 13 d. A person licensed to practice marital and family  
2 14 therapy or mental health counseling pursuant to chapter 154D.  
2 15 e. An advanced registered nurse practitioner licensed  
2 16 pursuant to chapter 152 who specializes in adult psychiatric  
2 17 services.  
2 18 Sec. 3. Section 595.4, Code 2003, is amended to read as  
2 19 follows:  
2 20 595.4 AGE AND QUALIFICATION == VERIFIED APPLICATION ==  
2 21 WAITING PERIOD == ~~EXCEPTION~~ EXCEPTIONS.  
2 22 1. ~~Previous~~ Prior to the issuance of any license to marry,  
2 23 the parties desiring the license shall sign and file a  
2 24 verified application with the county registrar which  
2 25 application either may be mailed to the parties at their  
2 26 request or may be signed by them at the office of the county  
2 27 registrar in the county in which the license is to be issued.  
2 28 The application shall include the social security number of  
2 29 each applicant and shall set forth at least one affidavit of  
2 30 some competent and disinterested person stating the facts as  
2 31 to age and qualification of the parties. Upon the filing of  
2 32 the application for a license to marry, the county registrar  
2 33 shall file the application in a record kept for that purpose  
2 34 and shall take all necessary steps to ensure the  
2 35 confidentiality of the social security number of each  
3 1 applicant. All information included on an application may be  
3 2 provided as mutually agreed upon by the division of records  
3 3 and statistics and the child support recovery unit, including  
3 4 by automated exchange.  
3 5 2. Upon receipt of a verified application, the county

3 6 registrar may issue the license which shall not become valid  
3 7 until the expiration of ~~three days~~ after the date of issuance  
3 8 of the license. If the license has not been issued within six  
3 9 months from the date of the application, the application is  
3 10 void.  
3 11 3. A license issued under subsection 2 shall become valid  
3 12 as follows:  
3 13 a. If the parties desiring the license have participated  
3 14 in premarital education and submit documentation verifying  
3 15 completion of premarital education in accordance with section  
3 16 595.3B, the license shall become valid upon the expiration of  
3 17 three days after the date of issuance of the license.  
3 18 b. If the parties desiring the license have not  
3 19 participated in premarital education or do not submit  
3 20 documentation verifying completion of premarital education in  
3 21 accordance with section 595.3B, the license shall not become  
3 22 valid until the expiration of twenty days after the date of  
3 23 issuance of the license.  
3 24 4. A license to marry may be validated prior to the  
3 25 expiration of ~~three~~ the number of days specified in subsection  
3 26 3 from the date of issuance of the license in cases of  
3 27 emergency or extraordinary circumstances. An order  
3 28 authorizing the validation of a license may be granted by a  
3 29 judge of the district court under conditions of emergency or  
3 30 extraordinary circumstances upon application of the parties  
3 31 filed with the county registrar. ~~No An order may shall not~~ be  
3 32 granted unless the parties have filed an application for a  
3 33 marriage license in a county within the judicial district. An  
3 34 application for an order shall be made on forms furnished by  
3 35 the county registrar at the same time the application for the  
4 1 license to marry is made. After examining the application for  
4 2 the marriage license and issuing the license, the county  
4 3 registrar shall refer the parties to a judge of the district  
4 4 court for action on the application for an order authorizing  
4 5 the validation of a marriage license prior to expiration of  
4 6 ~~three~~ the number of days specified in subsection 3 from the  
4 7 date of issuance of the license. The judge shall, if  
4 8 satisfied as to the existence of an emergency or extraordinary  
4 9 circumstances, grant an order authorizing the validation of a  
4 10 license to marry prior to the expiration of ~~three~~ the number  
4 11 of days specified in subsection 3 from the date of issuance of  
4 12 the license to marry. The county registrar shall validate a  
4 13 license to marry upon presentation by the parties of the order  
4 14 authorizing a license to be validated. A fee of five dollars  
4 15 shall be paid to the county registrar at the time the  
4 16 application for the order is made, which fee is in addition to  
4 17 the fee prescribed by law for the issuance of a marriage  
4 18 license.  
4 19 Sec. 4. NEW SECTION. 598.7B PARENTING PLANS.  
4 20 1. Beginning October 1, 2004, the parties to a petition  
4 21 for dissolution of marriage, annulment, or separate  
4 22 maintenance that involves minor children or to an application  
4 23 for a motion to modify an order involving custody or  
4 24 visitation shall submit a proposed parenting plan, either  
4 25 individually or jointly, within thirty days after the service  
4 26 of process of the petition for dissolution of marriage,  
4 27 annulment, or separate maintenance, or the application for a  
4 28 motion to modify an order involving custody or visitation.  
4 29 The proposed parenting plan shall specify the arrangements  
4 30 that the party believes to be in the best interest of any  
4 31 minor child and shall specify other details as required by  
4 32 rules prescribed by the supreme court.  
4 33 2. The supreme court shall prescribe rules no later than  
4 34 September 1, 2004, establishing guidelines for a parenting  
4 35 plan form which may be used by the parties in any dissolution  
5 1 of marriage, annulment, legal separation, or modification  
5 2 proceeding involving the issues of custody and visitation.  
5 3 Beginning September 1, 2004, the clerk of the district court  
5 4 shall furnish parenting plan forms to the parties in a  
5 5 dissolution of marriage, annulment, or separate maintenance  
5 6 action or modification proceeding involving custody or  
5 7 visitation, without cost to the parties.  
5 8 Sec. 5. EFFECTIVE DATE. The provision of the section of  
5 9 this Act enacting section 598.7B that directs the supreme  
5 10 court to prescribe rules regarding the guidelines for  
5 11 parenting plans, being deemed of immediate importance, takes  
5 12 effect upon enactment.

5 17 Speaker of the House

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5 21 \_\_\_\_\_  
JEFFREY M. LAMBERTI

5 22 President of the Senate

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5 24 I hereby certify that this bill originated in the House and  
5 25 is known as House File 2455, Eightieth General Assembly.

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5 29 \_\_\_\_\_  
MARGARET THOMSON

5 30 Chief Clerk of the House

5 31 Approved \_\_\_\_\_, 2004

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5 35 \_\_\_\_\_  
THOMAS J. VILSACK

6 1 Governor